



**POWER OF ATTORNEY BY ASSIGNEE TO EXCLUSION OF INVENTOR
UNDER 37 C.F.R. § 3.71 WITH REVOCATION OF PRIOR POWERS**

The undersigned ASSIGNEE of the entire interest in:

- ☐ U.S. Patent No. _____
☒ U.S. application no. 09/603,658, filed on June 23, 2000

hereby appoints the following attorneys of Wilson Sonsini Goodrich & Rosati:

| Attorney Name | Reg. No. | Attorney Name | Reg. No. |
|--------------------|----------|---------------------|----------|
| Paul Davis | 29,294 | David J. Weitz | 38,362 |
| David J. Abraham | 39,554 | U.P. Peter Eng | 39,666 |
| George A. Willman | 41,378 | Barbara J. Courtney | 42,442 |
| Jinntung Su | 42,174 | Van Mahamedi | 42,828 |
| Richard L. Gregory | 42,607 | Shirley Chen | 44,608 |
| Stephen Warhola | 43,237 | Shaliesh Mehra | 44,934 |
| John Gilmore | 46,375 | Jonathan T. Manson | 43,774 |
| John J. Bruckner | 35,816 | | |

and all Wilson Sonsini Goodrich & Rosati attorneys registered to practice before the United States Patent and Trademark Office, to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

The following evidentiary documents establish a chain of title from the original owner to the Assignee:

(complete one of the following)

- ☒ a copy of an Assignment attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or
- ☐ the Assignment recorded on ____ at reel ____, frames ____-____.

Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

Direct all correspondence and telephone calls to:

| | | | | | |
|---------|------------------------------------|-----------|----------------|-----|----------------|
| Name | Shirley Chen, Reg. No. 44,608 | | | | |
| Address | Wilson Sonsini Goodrich and Rosati | | | | |
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ASSIGNEE: Genetastix Corporation

Name: Li Jhen

Date: 9/15/2000

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| | | |
|---|--|---------------------------------------|
| STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR. 1.9(f) & 1.27(c)) -- SMALL BUSINESS CONCERN | | Docket Number (Optional) 25636-703 |
| Applicant, Patentee, or Identifier: | Li Zhu | |
| Application or Patent No.: | 09/603,658 | |
| Filed or Issued: | June 23, 2000 | |
| Title: | HIGHLY DIVERSE LIBRARY OF YEAST EXPRESSION VECTORS | |
| I hereby state that I am <input type="checkbox"/> the owner of the small business concern identified below <input checked="" type="checkbox"/> an official of the small business concern empowered to act on behalf of the concern identified below | | |
| NAME OF SMALL BUSINESS CONCERN | Genetastix Corporation | |
| ADDRESS OF SMALL BUSINESS CONCERN | 780 Montague Expressway, Suites 303 & 304, San Jose, CA 95131 | |
| <p>I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.</p> <p>I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:</p> <p><input type="checkbox"/> the specification filed herewith with title as listed above <input checked="" type="checkbox"/> the application identified above <input type="checkbox"/> the patent identified above</p> <p>If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).</p> <p>Each person, concern, or organization having any rights in the invention is listed below:</p> <p><input type="checkbox"/> no such person, concern, or organization exists <input type="checkbox"/> each such person, concern, or organization is listed below.</p> | | |
| NAME OF SMALL BUSINESS CONCERN | | |
| ADDRESS OF SMALL BUSINESS CONCERN | | |
| <p>Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities (37 CFR 1.27).</p> <p>I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).</p> | | |
| NAME OF PERSON SIGNING | <u>Li Zhu Li Zhu</u> | |
| TITLE OF PERSON IF OTHER THAN OWNER | <u>President & CEO</u> | |
| ADDRESS OF PERSON SIGNING | <u>780 Montague Expressway, Suites 303 & 304, San Jose, CA 95131</u> | |
| SIGNATURE | <u>Li Zhu</u> | DATE <u>9/15/2000</u> |

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